

Form 213

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

David P. Mathews
fka David P. Midberry
Nicky J. Mathews
fka Nicole J. Mathews–Midberry, fka Nicole J. Mathews
Debtor(s)

Bankruptcy Case No.: 16–11193–TPA
Related to Docket No. 71
Chapter: 13
Docket No.: 72 – 71
Concil. Conf.: 4/13/21 at 10:30 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **February 22, 2021**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **March 15, 2021**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **4/13/21** at **10:30 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteedpa.com.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: January 6, 2021

cm: All Creditors and Parties In Interest


Thomas P. Agresti, Judge
United States Bankruptcy Court

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

In re:
David P. Mathews
Nicky J. Mathews
Debtor(s)

Case No. 16-11193-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Jan 06, 2021

User: jmar
Form ID: 213

Page 1 of 3
Total Noticed: 26

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 08, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ David P. Mathews, Nicky J. Mathews, 1843 County Line Road, Venus, PA 16364-3105
14338461	+ First National Bank of PA, 4140 E. State St, Hermitage, PA 16148-3401
14366572	+ H&R Block Bank, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
14338464	++ NORTHWEST SAVINGS BANK, P O BOX 337, WARREN PA 16365-0337 address filed with court:, Northwest Savings Bank, 100 Liberty St, Warren, PA 16365
14338467	+ Staples, PO Box 78014, Phoenix, AZ 85062-8014

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14366685	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Jan 07 2021 04:09:15	American InfoSource LP as agent for, Verizon, PO Box 248838, Oklahoma City, OK 73124-8838
14338457	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jan 07 2021 03:28:25	Capital One, Po Box 30285, Salt Lake City, UT 84130-0285
14395658	+ Email/Text: bankruptcy@capvs.com	Jan 07 2021 03:23:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
14342946	Email/Text: mrdiscen@discover.com	Jan 07 2021 03:21:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14338460	+ Email/Text: mrdiscen@discover.com	Jan 07 2021 03:21:00	Discover Financial, Po Box 3025, New Albany, OH 43054-3025
14338462	+ Email/PDF: gecsed@recoverycorp.com	Jan 07 2021 03:28:20	JC Penny, PO Box 960090, Orlando, FL 32896-0090
14409317	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 07 2021 03:28:20	JPMorgan Chase Bank, National Association, Mail Code LA4-5555, 700 Kansas Lane, Monroe LA 71203
14338458	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 07 2021 03:33:09	Chase Card, Attn: Correspondence, Po Box 15298, Wilmington, DE 19850
14338459	Email/PDF: ais.chase.ebn@americaninfosource.com	Jan 07 2021 03:33:08	Chase Mortgage, 3415 Vision Dr, Columbus, OH 43219
15259991	+ Email/Text: BKBCNMAIL@carringtonms.com	Jan 07 2021 03:21:00	JPMorgan Chase Bank, National Association, c/o Carrington Mortgage Services, LLC, P.O. BOX 3730, Anaheim, CA 92803-3730
14355090	Email/PDF: resurgentbknofications@resurgent.com	Jan 07 2021 03:33:30	LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14338463	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 07 2021 03:23:00	Midland Funding, 2365 Northside Dr, Suite 300, San Diego, CA 92108-2709

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14395634	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 07 2021 03:23:00	Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
14381547	Email/Text: peritus@ebn.phinsolutions.com	Jan 07 2021 03:24:00	PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, Irving, Tx 75014-1419
14338465	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 07 2021 03:38:45	Portfolio Recovery, Po Box 41067, Norfolk, VA 23541
14338466	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 07 2021 03:38:45	Portfolio Recovery Associates, 130 Coporate Blvd., Norfolk, VA 23502
14406970	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 07 2021 03:33:21	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14338468	+ Email/PDF: gecsed@recoverycorp.com	Jan 07 2021 03:28:20	Syncb/Toys R Us, Po Box 965064, Orlando, FL 32896-5064
14338469	+ Email/PDF: gecsed@recoverycorp.com	Jan 07 2021 03:28:20	Synchrony Bank/Care Credit, Po Box 965064, Orlando, FL 32896-5064
14338470	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Jan 07 2021 03:21:00	Verizon, 500 Technology Dr, Suite 500, Weldon Spring, MO 63304-2225
14338471	+ Email/PDF: gecsed@recoverycorp.com	Jan 07 2021 03:38:31	Walmart/Synchrony Bank, PO Box 530927, Atlanta, GA 30353-0927

TOTAL: 21

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
cr	*	PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, IRVING, TX 75014-1419

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 08, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 6, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor JPMORGAN CHASE BANK NATIONAL ASSOCIATION bnicholas@kmlawgroup.com
Kevin Scott Frankel	on behalf of Creditor JPMORGAN CHASE BANK NATIONAL ASSOCIATION pakb@logs.com
Matthew M. Brennan	on behalf of Debtor David P. Mathews attorneymatthewbrennan@gmail.com

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Matthew M. Brennan

on behalf of Joint Debtor Nicky J. Mathews attorney matthewbrennan@gmail.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 6